

# 106<sup>th</sup> TN General Assembly

## First Regular Session



**Tuesday, May 19, 2009**

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### SENATE

#### COMMITTEE REPORTS

##### COMMERCE, LABOR & AGRICULTURE - SHR #12 - 11:00 a.m. -

Rec. for pass. If am., ref to Calendar - SB's 597, 1579.

Rec. for pass. If am., ref to FW&M - SB's 693, 1203.

Rec. for adopt., ref to Calendar - SJR 356.

Action def. - SB's 1989, 1924.

##### GOVERNMENT OPERATIONS - SHR #12 - 12:30 p.m. -

Rec. for pass. If am., ref to Calendar - SB's 1025, 2114.

Rec. for pass. If am., ref to FW&M - SB's 1573, 1715.

Action def. - SB's 1153, 1388, 370, 358, 198, 434, 371.

##### JUDICIARY - SHR #12 - 8:00 a.m. & 3:30 p.m. -

Rec. for pass., ref to Calendar - SB's 1419, 1830, 1831, 1243.

Rec. for pass. If am., ref to Calendar - SB's 520, 2102, 539, 38, 1280, 1283.

Rec. for pass., ref to FW&M - SB 2168.

Rec. for pass. If am., ref to FW&M - SB's 1573, 1715, 275, 1534.

Action def. - SB's 1141, 1497, 679, 1211, 1827, 1912, 2160, 859, 869, 260, 1908, 2234, 2236, 927, 1094, 782, 783, 803, 1707, 2109, 2295, 35, 39, 1063, 1066, 1981, 1751, 70, 1253, 1273, 1263, 1267, 1271, 1722, 2010, 1610, 1757, 781, 1726, 1609.

Ref. to Gen. Sub. - SB's 1834, 2248.

#### CALENDARS FOR WEDNESDAY, MAY 20, 2009

##### Consent

##### 1. SJR 0453 by \*Yager

Memorials, Recognition - Dana Peterka, Distinguished Service Award, Roane County Chamber of Commerce -

##### 2. SJR 0454 by \*Yager

Memorials, Recognition - Penelope Uselton, ATHENA award -

##### 3. SJR 0455 by \*Yager

Memorials, Professional Achievement - Steve Patterson and Pattersons Home Appliance Center, Roane County Chamber of Commerce Business of the Year -

##### 4. SJR 0456 by \*Finney L

Memorials, Personal Occasion - Frank and Verta Lee Oller, 74th wedding anniversary -

##### 5. SJR 0457 by \*Burks

Memorials, Academic Achievement - Elizabeth MacKenzie Sherrill, Valedictorian, Stone Memorial High School -

(Senate Consent Calendar cont.)

**6. SJR 0458 by \*Burks**

Memorials, Academic Achievement - Whitney Noella Pickens, Salutatorian, Stone Memorial High School -

**7. SJR 0459 by \*Burks**

Memorials, Academic Achievement - Daniel Lee Riggsbee, Salutatorian, Upperman High School -

**8. SJR 0460 by \*Burks**

Memorials, Academic Achievement - Carmen Allie Rinio, Valedictorian, Upperman High School

**9. SJR 0461 by \*Burks**

Memorials, Academic Achievement - Martha McClain Austen, Salutatorian, Cookeville High School -

**10. SJR 0462 by \*Burks**

Memorials, Academic Achievement - Chelsea Alspaugh, Valedictorian, White County High School -

**11. SJR 0463 by \*Burks**

Memorials, Academic Achievement - Micah Eller, Salutatorian, White County High School -

**12. SJR 0464 by \*Burks**

Memorials, Academic Achievement - Yiran Guo, Valedictorian, Cookeville High School -

**13. SJR 0465 by \*Burks**

Memorials, Academic Achievement - Kelsey Brooke Atkinson, Salutatorian, Cumberland County High School -

**14. SJR 0466 by \*Burks**

Memorials, Academic Achievement - Skylar Florine Singleton, Valedictorian, Monterey High School -

**15. SJR 0467 by \*Burks**

Memorials, Academic Achievement - Chelsea Elizabeth Creutz, Valedictorian, Cumberland County High School -

**16. SJR 0468 by \*Burks**

Memorials, Academic Achievement - Lindsey Reannon Reed, Salutatorian, Monterey High School -

**17. SJR 0471 by \*Watson**

Memorials, Professional Achievement - Suzanne Rushworth, National Society of Daughters of the American Revolution Tennessee Outstanding Teacher of American History -

**18. SJR 0472 by \*Tracy**

Memorials, Interns - Lauren Elizabeth Day -

**19. SJR 0473 by \*Tracy**

Memorials, Interns - Victoria Lynn Mills -

**20. SJR 0474 by \*Berke**

Memorials, Professional Achievement - Lillie Wills, 2009 Chattanooga Woman of Distinction -

**21. SJR 0475 by \*Berke**

Memorials, Professional Achievement - Joyce Godsey, 2009 Chattanooga Woman of Distinction -

**22. SJR 0476 by \*Berke**

Memorials, Professional Achievement - Betsy Chapin Taylor, 2009 Chattanooga Woman of Distinction -

**23. SJR 0477 by \*Berke**

Memorials, Professional Achievement - Caroline Bentley, 2009 Chattanooga Woman of Distinction -

**24. SJR 0478 by \*Berke**

Memorials, Professional Achievement - Stefanie Crowe, 2009 Chattanooga Woman of Distinction

**25. SJR 0479 by \*Berke**

Memorials, Professional Achievement - Debbie Clifford Brown, 2009 Chattanooga Woman of Distinction -

**26. SJR 0480 by \*Berke**

Memorials, Professional Achievement - Maxine Bailey, 2009 Chattanooga Woman of Distinction

**27. SJR 0481 by \*Berke**

Memorials, Professional Achievement - Peggy Laney, 2009 Chattanooga Woman of Distinction -

(Senate Consent Calendar cont.)

- 28. SJR 0482 by \*Berke**  
Memorials, Professional Achievement - Robin Grant, 2009 Chattanooga Woman of Distinction -
- 29. SJR 0483 by \*Berke**  
Memorials, Professional Achievement - Sue Culpepper, 2009 Chattanooga Woman of Distinction
- 30. SJR 0484 by \*Crowe**  
Memorials, Public Service - Dr. William Patrick Patterson -
- 31. SJR 0485 by \*Kyle**  
Memorials, Interns - Garth Jackson Carson -
- 32. SJR 0486 by \*McNally**  
Memorials, Sports - Jennifer Azzi, Women's Basketball Hall of Fame -
- 33. SJR 0487 by \*Kyle**  
Memorials, Academic Achievement - Brent Joseph Holmes, Valedictorian, Christian Brothers High School -
- 34. SJR 0488 by \*Finney L**  
Memorials, Personal Occasion - Cornelia Tiller, 80th birthday -
- 35. SJR 0489 by \*Black**  
Memorials, Recognition - Ben Jewell, ReNew Crew benefactor -
- 36. SJR 0490 by \*Burks**  
Memorials, Academic Achievement - Lindsey K. Wright, Valedictorian, Pickett County High School -
- 37. SJR 0491 by \*Burks**  
Memorials, Academic Achievement - Erin L. Chambers, Salutatorian, Pickett County High School
- 38. SJR 0492 by \*Burks**  
Memorials, Academic Achievement - Ramone R. Bachour, Salutatorian, Jackson County High School -
- 39. SJR 0493 by \*Burks**  
Memorials, Academic Achievement - Zachary L. Brown, Valedictorian, Jackson County High School -
- 40. SJR 0494 by \*Henry**  
Memorials, Sports - Father Ryan High School, Rugby State Champions -
- 41. SJR 0495 by \*Stewart**  
Memorials, Retirement - Raymond Council -
- 42. SR 0133 by \*Faulk**  
Memorials, Personal Achievement - Sarah Bayless, Girl Scout Gold Award -
- 43. SR 0134 by \*Watson**  
Memorials, Interns - Laura Kathleen Cofer -
- 44. SR 0135 by \*Stewart**  
Memorials, Academic Achievement - Sharon Reno, Salutatorian, Sequatchie County High School
- 45. HJR 0457 by \*Favors**  
Memorials, Recognition - Bishop Roy A. Holmes -
- 46. HJR 0458 by \*Coley, Lollar**  
Memorials, Academic Achievement - Michael Goetzka, Salutatorian, Bartlett High School -
- 47. HJR 0459 by \*Coley, Lollar**  
Memorials, Academic Achievement - Bryon Donaphon, Valedictorian, Bartlett High School -
- 48. HJR 0460 by \*Coley, Lollar, Rich**  
Memorials, Professional Achievement - Detective Jeffrey Swindol, Bartlett Police Department Officer of the Year -
- 49. HJR 0461 by \*Coley, Lollar**  
Memorials, Professional Achievement - Lieutenant Roger Webster, 2009 Bartlett Fire Department Officer of the Year -
- 50. HJR 0462 by \*McDonald**  
Memorials, Retirement - Jon Allen Collins -
- 51. HJR 0464 by \*McDaniel, Dennis, Bone**  
Memorials, Recognition - Decatur County Forestry Association, County Forestry Association of the Year -

(Senate Consent Calendar cont.)

**52. HJR 0465 by \*Sontany**

Memorials, Academic Achievement - Izamar Rodriguez, Salutatorian, Nashville School of the Arts -

**53. HJR 0466 by \*Sontany**

Memorials, Academic Achievement - Jessie Wooten, Salutatorian, Nashville School of the Arts -

**54. HJR 0467 by \*Sontany**

Memorials, Academic Achievement - Isabelle Daugherty, Valedictorian, Nashville School of the Arts -

**55. HJR 0468 by \*Eldridge, Shaw**

Memorials, Recognition - Sergeant First Class Phillip R. Clark, 2009 Jackson Exchange Club Soldier of the Year -

**56. HJR 0469 by \*Harrison**

Memorials, Academic Achievement - Andrew "Tobey" Norris, Salutatorian, Clinch School -

**57. HJR 0470 by \*Harrison**

Memorials, Academic Achievement - Cody Keith Lamb, Valedictorian, Clinch School -

**58. HJR 0471 by \*Mumpower**

Memorials, Death - James I. Lundy -

**59. HJR 0474 by \*Armstrong, Hensley, Favors, Rich, Ramsey, Halford, Shipley, Cobb J, Maggart, Dean**

Memorials, Interns - Jennie Lynne Frantum -

**60. HJR 0475 by \*Tindell, Armstrong**

Memorials, Interns - Randal Edward Martin -

**61. HJR 0476 by \*Floyd, Cobb J, Favors, McCormick, Dean, Brown**

Memorials, Death - Thomas Allen Lupton, Jr. -

**62. HJR 0478 by \*Matlock, Bell**

Memorials, Personal Occasion - Nona Letitia McSpadden Cook, 100th birthday -

**Consent #2**

**1. \*SB 1216 by \*Black (HB 1366 by \*Jones S)**

Children and Youth, Commission on - As introduced, changes the reporting date for the commission to legislative committees concerning resource mapping from February 15 to April 15.  
- Amends TCA Section 37-3-116.

**Regular**

**1. \*SB 2153 by \*Haynes (HB 2220 by \*Stewart, Dean, Cobb T)**

Criminal Procedure - As introduced, authorizes use of fingerprint as form of acknowledgment in lieu of, or in addition to, a person's signature for citations and certain other notices and documents.  
- Amends TCA Title 7, Chapter 63; Title 16, Chapter 1; Title 40, Chapter 7 and Title 55, Chapter 50.

**2. SB 0207 by \*Stewart (\*HB 0106 by \*Matheny)**

Safety - As introduced, requires the emergency medical services board to develop standards for the operation and maintenance of emergency vehicles that impose certain mileage restrictions. - Amends TCA Title 68.

**3. SB 0289 by \*Beavers (\*HB 0253 by \*Casada)**

Criminal Offenses - As introduced, adds certain violations of rules of road to present violations resulting in accident that are penalized as Class A misdemeanors when involving death or as Class B misdemeanors when involving serious bodily injury. - Amends TCA Title 55, Chapter 8.

**4. SB 0831 by \*McNally (\*HB 0530 by \*Hackworth)**

Tobacco, Tobacco Products - As introduced, requires notification to distributors and retailers of tobacco products when a tobacco product is excluded from the Tennessee Directory of Certified Manufacturers. - Amends TCA Title 67, Chapter 4, Part 26.

**5. SB 1006 by \*Johnson (\*HB 0999 by \*Lynn, Cobb J, Kernell)**

Sunset Laws - As introduced, extends emergency communications board, June 30, 2010. - Amends TCA Title 4, Chapter 29 and Title 7, Chapter 86.

(Senate Regular Calendar cont.)

- 6. SB 1013 by \*Johnson (\*HB 1081 by \*Lynn, Kernell, Cobb J)**  
Sunset Laws - As introduced, extends department of commerce and insurance, June 30, 2010. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3.
- 7. SB 1014 by \*Johnson (\*HB 1083 by \*Lynn, Kernell, Cobb J)**  
Sunset Laws - As introduced, extends commission on firefighting personnel standards and education, June 30, 2010. - Amends TCA Title 4, Chapter 24 and Title 4, Chapter 29.
- 8. SB 1029 by \*Johnson (\*HB 1064 by \*Lynn, Kernell, Cobb J)**  
Sunset Laws - As introduced, extends advisory council on workers' compensation, June 30, 2010. - Amends TCA Title 4, Chapter 29 and Title 50, Chapter 6.
- 9. SB 1044 by \*Johnson (\*HB 1039 by \*Lynn, Kernell, Cobb J)**  
Sunset Laws - As introduced, extends Tennessee registry of election finance, June 30, 2010. - Amends TCA Title 2, Chapter 10 and Title 4, Chapter 29.
- 10. \*SB 1277 by \*Bunch (HB 1601 by \*Swafford)**  
Taxes, Real Property - As introduced, removes requirement that the trustee must report and make a settlement for all taxes with the commissioner of revenue; removes requirement that the trustee submit a financial report to certain state and local government officers for purposes of making a final settlement of taxes. - Amends TCA Title 67.
- 11. \*SB 1456 by \*Haynes (HB 1688 by \*Moore)**  
Insurance Companies, Agents, Brokers, Policies - As introduced, provides that any insurance company formed as a successor in interest shall not receive a reduction in its apportionment ratio for property tax purposes if the previous company already received such reduction. - Amends TCA Title 67, Chapter 5, Part 12.
- 12. SB 1529 by \*Burchett, Finney L (\*HB 1257 by \*Tindell, Montgomery)**  
Criminal Procedure - As introduced, allows attorney general or the chief deputy to issue a subpoena for production of records related to Internet and computer use in cases of sexual exploitation of a minor. - Amends TCA Title 40, Chapter 17, Part 1.
- 13. \*SB 1655 by \*Burks (HB 1587 by \*Curtiss)**  
Local Government, General - As introduced, allows any city, town, or county to charge a records maintenance fee, not to exceed \$5.00, for each record the city, town, or county is required to maintain and to use the fees to offset the cost of maintaining such records. - Amends TCA Title 5; Title 6; Title 7; Title 10 and Title 68, Chapter 3.
- 14. \*SB 1684 by \*Ketron (HB 1430 by \*Sontany)**  
Taxes, Litigation - As introduced, adds \$1 privilege tax on criminal cases to fund grants for a 24-hour a day victim information and notification system to be operated by the Tennessee sheriff's association. - Amends TCA Title 40, Chapter 38 and Title 67, Chapter 4, Part 6.
- 15. \*SB 1919 by \*Johnson (HB 1468 by \*Shepard)**  
Planning, Public - As introduced, incorporates the use of green building design, sustainable infrastructure, and energy efficiency technologies into the powers authorities are authorized to exercise for redevelopment projects. - Amends TCA Section 13-20-202.
- 16. \*SB 1934 by \*Burchett (HB 1426 by \*Niceley)**  
Safety, Dept. of - As introduced, prohibits state from being required to participate in the implementation of the federal REAL ID Act of 2005, which mandates a national identification card for each citizen of the United States. - Amends TCA Title 4 and Title 55.
- 17. SB 1949 by \*Yager (\*HB 1480 by \*Cobb J)**  
Highway Signs - As introduced, "Jimmy 'Pap' Galloway Memorial Bridge," U.S. Highway 27 in Rhea County. -
- 18. SB 2079 by \*Ketron (\*HB 1905 by \*Curtiss, Shepard)**  
Purchasing - As introduced, creates a mechanism for local governmental units to purchase goods and services through a competitive reverse auction process after filing a plan with the comptroller to document internal controls to ensure the integrity of the process. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 12; Title 13; Title 41; Title 42; Title 49; Title 64 and Title 68.

(Senate Regular Calendar cont.)

**19. SB 2091 by \*Finney L (\*HB 1946 by \*Maddox)**

Growth and Development - As introduced, specifies that if the regional area outside of the municipal boundaries is less than 50 percent of the entire regional area then only one member of a municipal planning commission shall be appointed from the regional area outside the municipal boundaries regardless of the number of members on a municipal planning commission designated as a regional planning commission. - Amends TCA Section 13-3-102.

**20. SB 2156 by \*Ketron (\*HB 2139 by \*Todd)**

Municipal Government - As introduced, codifies the generally accepted practice of municipal governing bodies to act by ordinance if the general law or charter requires the action to be by ordinance and definitely if the action levies a tax, makes a special assessment, is permanent in nature, or has a regulatory or penal effect. - Amends TCA Title 6, Chapter 54, Part 5.

**21. SB 2162 by \*Tracy (\*HB 1963 by \*Sargent)**

Workers Compensation - As introduced, imposes certain penalties on employers and employees in certain cases involving employees not authorized to work in the U.S. under federal immigration laws. - Amends TCA Title 50, Chapter 6 and Title 56.

**22. SB 2196 by \*Kyle (\*HB 2175 by \*DeBerry L)**

Taxes, Real Property - As introduced, exempts Shelby County from prohibition against correcting clerical mistakes in tax reports or schedule filed by a taxpayer with the assessor. - Amends TCA Title 67, Chapter 5.

**23. \*SJR 0324 by \*Stewart**

General Assembly, Statement of Intent or Position - Expresses Tennessee's commitment to purchasing only products and services made or provided in the U.S. whenever and wherever possible with any economic recovery monies provided to Tennessee. -

**24. SB 1666 by \*Finney L, Overbey (\*HB 1201 by \*Pitts, Tindell, Campfield, Cobb T, Fincher)**

Child Abuse - As introduced, redefines the offense of child endangerment to be when a parent or custodian of a child eight years of age or less knowingly exposes such child to or knowingly fails to protect such child from abuse or neglect resulting in physical injury to the child. - Amends TCA Title 37, Chapter 1; Title 39, Chapter 11 and Title 39, Chapter 15.

**25. \*SB 0381 by \*Bunch (HB 0873 by \*Brooks K)**

Employees, Employers - As introduced, permits the payment of employees in private employments on a monthly basis in addition to the present law which authorizes payment at more frequent periods than semi-monthly; clarifies that the time periods in present law in which employees are to be paid apply to payments of wages on a semi-monthly basis. - Amends TCA Section 50-2-103.

**26. \*SJR 0327 by \*Johnson**

General Assembly, Statement of Intent or Position - Declares that Tennessee will not participate in a Federally-mandated carbon cap-and-trade system. -

**Message**

**1. \*SB 1917 by \*Berke (HB 1558 by \*Dean)**

Purchasing - As introduced, authorizes the purchase of secondhand items by local governments as long as the general range of value of the item is documented through a listing in a recognized publication or through an appraisal and the price is no more than 10 percent of the documented range. - Amends TCA Section 12-3-1003.

**SENATE CONVENES AT 8:00 A.M., WEDNESDAY, MAY 20, 2009**

# HOUSE

## COMMITTEE REPORTS

### AGRICULTURE - HHR #29 - 9:00 a.m. -

Rec. for pass., ref to C&R - HB 413.  
Rec. for pass. If am., ref to Govt. Ops. - HB 1360.  
Action def. - HB 721.  
Taken off notice - HB 721.

### CALENDAR & RULES - HHR #16 - 8:00 a.m. -

Reg. Cal. 5/20 - HB's 1263, 250, 2109, 196, 143, 1707, 1249, 1252, 1589, 2166, 1579, 1472, 1471, 1779, 1659, 2168, 616, 715, 484, 1442, 2037.  
Reg. Cal. 5/21 - HB's 2134, 1531, 1437, 1225, 1931, 1592, 1688, 2268, 1702, 1393, 1448, 1053, HJR 108, HB's 999, 1347, 2069.  
1st Con Cal week of 5/25 - HJR 308, HB's 309, 2364, 1873, 467, 1692, 1976, 1650, 1662, 1914, HJR 281, HR 87, HB 484, HJR 166, HB 1814.  
Re-Ref to FW&M - HB's 1193, 234.  
Re-Ref to Govt. Ops. - HB 1629.  
Action def. - HB's 1495, 1298, 10287, HJR 369.  
Taken off notice - HB 1619.

### CHILDREN & FAMILY AFFAIRS - HHR #16 - 2:30 p.m. -

Rec. for pass. If am., ref to C&R - HB 327.  
Rec. for pass. If am., ref to FW&M - HB's 2295, 459.  
Taken off notice - HB 829.

### FINANCE, WAYS & MEANS - HHR #16 - 1:30 p.m. -

Rec. for pass., ref to C&R - HB's 529, 574, 925, 1484, 1500, 1963, 2326.  
Rec. for pass. If am., ref to C&R - HB's 50, 1278, 1477.  
Rec. for pass. If am., ref to Govt. Ops. - HB 92.  
Rec. for adopt. If am., ref to C&R - HJR 119.  
Action def. - 714.  
Re-Refer to Budget - HB 1001.

### HEALTH & HUMAN RESOURCES - HHR #16 - 10:30 a.m. -

Rec. for pass. If am., ref to C&R - HB's 722, 1655, 1810, 1275.  
Rec. for pass., ref to FW&M - HB 1268.  
Rec. for pass. If am., ref to FW&M - HB's 1651, 1715, 1603.  
Rec. for pass. If am., ref to Govt. Ops - HB's 950, 1756.  
Re-Ref to Professional Occupations - HB 1871.  
Re-Ref to Public Health - HB 2145.  
Taken off notice - HB's 1821, 702.

### JUDICIARY - HHR #31 - 2:30 p.m. -

Rec. for pass. If am., ref to C&R - HB's 1212, 1354.  
Rec. for pass., ref to FW&M - HB 2018.  
Rec. for pass. If am., ref to FW&JM - HB 1637.  
Rec. for adopt. If am., ref to C&R - HJR 104.  
Failed - HB 1700.  
Action def. - HB's 2099, 806, 1837, 1795.  
Taken off notice - HB 932.

## SUBCOMMITTEE REPORTS

### BUDGET - HHR #16 - 1:15 p.m. -

Rec. for pass. If am. - HB 1751.

### STUDY COMMITTEE - HHR #29 - 2:30 p.m. -

Rec. for pass. If am. - HB's 687, 2199, 852, 963.  
Action def. - HB 297, HJR 32.  
Taken off notice - HB 1943.

## CALENDARS FOR WEDNESDAY, MAY 20, 2009

### Consent

1. **HR 0135 by \*Bone**  
Memorials, Death - Pat Fergusson - The Abstract summarizes HR0135 as introduced.
2. **HR 0136 by \*Hackworth**  
Memorials, Retirement - V. L. Stonecipher, Director of Schools, Anderson County - The Abstract summarizes HR0136 as introduced.
3. **HR 0137 by \*Cobb T**  
Memorials, Recognition - Linda Colley - The Abstract summarizes HR0137 as introduced.
4. **HR 0138 by \*Favors**  
Memorials, Recognition - Dr. Bobby Hampton - The Abstract summarizes HR0138 as introduced.
5. **HR 0139 by \*Bass**  
Memorials, Interns - Daniel Scarver, Jr. - The Abstract summarizes HR0139 as introduced.
6. **HR 0140 by \*Bass**  
Memorials, Academic Achievement - Nathan Wood, Salutatorian, Richland High School - The Abstract summarizes HR0140 as introduced.
7. **HR 0141 by \*Bass**  
Memorials, Academic Achievement - Shelby Hood, Valedictorian, Richland High School - The Abstract summarizes HR0141 as introduced.
8. **HR 0142 by \*Bone**  
Memorials, Recognition - Cannon Courier, 125th anniversary - The Abstract summarizes HR0142 as introduced.
9. **HR 0143 by \*Lollar, McManus**  
Memorials, Interns - Christopher Michel - The Abstract summarizes HR0143 as introduced.
10. **HR 0144 by \*McCord, Lollar**  
Memorials, Interns - William Lockhart - The Abstract summarizes HR0144 as introduced.
11. **HR 0145 by \*Harmon**  
Memorials, Interns - Paul Wesley Trim, Jr. - The Abstract summarizes HR0145 as introduced.
12. **HJR 0497 by \*Hackworth**  
Memorials, Recognition - Oak Ridge High School Science Bowl team - The Abstract summarizes HJR0497 as introduced.
13. **HJR 0500 by \*Borchert**  
Memorials, Recognition - James H. Baker - The Abstract summarizes HJR0500 as introduced.
14. **HJR 0501 by \*Dennis**  
Memorials, Academic Achievement - Laura Hinton, Salutatorian, Hardin County High School - The Abstract summarizes HJR0501 as introduced.
15. **HJR 0502 by \*Dennis**  
Memorials, Academic Achievement - Jordan Ashlyn Johnson, Salutatorian, Riverside High School - The Abstract summarizes HJR0502 as introduced.
16. **HJR 0503 by \*Dennis**  
Memorials, Academic Achievement - Devyn Danielle Schwab, Valedictorian, Riverside High School - The Abstract summarizes HJR0503 as introduced.
17. **HJR 0504 by \*Dennis**  
Memorials, Academic Achievement - Emily Smith, Valedictorian, Adamsville Senior High School - The Abstract summarizes HJR0504 as introduced.
18. **HJR 0505 by \*Dennis**  
Memorials, Academic Achievement - Dasha Klyuyenko, Salutatorian, Adamsville Senior High school - The Abstract summarizes HJR0505 as introduced.
19. **HJR 0506 by \*Halford**  
Memorials, Recognition - Katelyn Watt - The Abstract summarizes HJR0506 as introduced.
20. **HJR 0507 by \*Halford**  
Memorials, Recognition - Milan High School Future Farmers of America - The Abstract summarizes HJR0507 as introduced.



(House Consent Calendar cont.)

**21. HJR 0508 by \*Lollar**

Memorials, Recognition - Charles E. "Bub" Cole - The Abstract summarizes HJR0508 as introduced.

**22. HJR 0509 by \*McDonald**

Memorials, Recognition - Ben Jewell - The Abstract summarizes HJR0509 as introduced.

**23. HJR 0510 by \*Dennis**

Memorials, Academic Achievement - Brittany Young, Valedictorian, Hardin County High School - The Abstract summarizes HJR0510 as introduced.

**24. HJR 0511 by \*Johnson P, Ramsey**

Memorials, Death - Richard Murry Hawkins, Jr. - The Abstract summarizes HJR0511 as introduced.

**25. SJR 0423 by \*Overbey**

Memorials, Academic Achievement - Kevin Michael Casler, Valedictorian, Seymour High School - The Abstract summarizes SJR0423 as introduced.

**26. SJR 0424 by \*Overbey**

Memorials, Academic Achievement - Preston Samuel Johnson, Valedictorian, Seymour High School - The Abstract summarizes SJR0424 as introduced.

**27. SJR 0425 by \*Overbey**

Memorials, Academic Achievement - Christopher Martin Burgess, Valedictorian, Seymour High School - The Abstract summarizes SJR0425 as introduced.

**28. SJR 0426 by \*Overbey**

Memorials, Academic Achievement - Elijah Graham Ramsey, Salutatorian, Seymour High School - The Abstract summarizes SJR0426 as introduced.

**29. SJR 0427 by \*Overbey**

Memorials, Academic Achievement - Brittany Denise Moore, Salutatorian, Seymour High School - The Abstract summarizes SJR0427 as introduced.

**30. SJR 0428 by \*Overbey**

Memorials, Academic Achievement - Callie LaRae Moore, Salutatorian, Seymour High School - The Abstract summarizes SJR0428 as introduced.

**31. SJR 0429 by \*Overbey**

Memorials, Academic Achievement - Andrew Douglas Whisler, Valedictorian, Seymour High School - The Abstract summarizes SJR0429 as introduced.

**32. SJR 0430 by \*Overbey**

Memorials, Academic Achievement - Devin James Tidwell, Valedictorian, Seymour High School - The Abstract summarizes SJR0430 as introduced.

**33. SJR 0431 by \*Overbey**

Memorials, Academic Achievement - Jeffrey Taylor Lindsey, Valedictorian, Seymour High School - The Abstract summarizes SJR0431 as introduced.

**34. SJR 0432 by \*Overbey**

Memorials, Academic Achievement - Abbey Lauren Atchley, Valedictorian, Seymour High School - The Abstract summarizes SJR0432 as introduced.

**35. SJR 0433 by \*Overbey**

Memorials, Academic Achievement - Colbi LaRae Galyon, Valedictorian, Seymour High School - The Abstract summarizes SJR0433 as introduced.

**36. SJR 0434 by \*Overbey**

Memorials, Academic Achievement - Alyssa Michelle Whited, Valedictorian, Seymour High School - The Abstract summarizes SJR0434 as introduced.

**37. SJR 0435 by \*Overbey**

Memorials, Academic Achievement - Emily Elise Atchley, Valedictorian, Seymour High School - The Abstract summarizes SJR0435 as introduced.

**38. SJR 0436 by \*Overbey**

Memorials, Academic Achievement - Morgan Kaley Peterson, Valedictorian, Seymour High School - The Abstract summarizes SJR0436 as introduced.

(House Consent Calendar cont.)

**39. SJR 0437 by \*Stewart**

Memorials, Academic Achievement - Brian Douglas Wilson, Valedictorian, Warren County High School - The Abstract summarizes SJR0437 as introduced.

**40. SJR 0438 by \*Ketron**

Memorials, Recognition - Boys and Girls Club of Maury County, 10th anniversary - The Abstract summarizes SJR0438 as introduced.

**41. SJR 0439 by \*Tracy, Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney L, Ford, O., Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Ketron, Kyle, Marrero B, McNally, Norris, Overbey, Southerland, Stanley, Stewart, Tate, Watson, Woodson, Yager, Ramsey**

Memorials, Death - James White Elkins - The Abstract summarizes SJR0439 as introduced.

**42. SJR 0440 by \*Finney L**

Memorials, Professional Achievement - Karen Cotham, 2008 Milan Chamber of Commerce Educator of the Year - The Abstract summarizes SJR0440 as introduced.

**43. SJR 0441 by \*Finney L**

Memorials, Professional Achievement - John Fisher, 2008 Milan Chamber of Commerce Steve March Pinnacle Award - The Abstract summarizes SJR0441 as introduced.

**44. SJR 0442 by \*Finney L**

Memorials, Professional Achievement - Elton Sims, 2008 Milan Chamber of Commerce Man of the Year - The Abstract summarizes SJR0442 as introduced.

**45. SJR 0443 by \*Finney L**

Memorials, Professional Achievement - Sarah Maynard, 2008 Milan Chamber of Commerce Woman of the Year - The Abstract summarizes SJR0443 as introduced.

**46. SJR 0444 by \*Herron**

Memorials, Academic Achievement - Lorna Mary Ceit Johnson, Salutatorian, Big Sandy High School - The Abstract summarizes SJR0444 as introduced.

**47. SJR 0445 by \*Herron**

Memorials, Academic Achievement - Katherine Denae Parker, Valedictorian, Big Sandy High School - The Abstract summarizes SJR0445 as introduced.

**48. SJR 0446 by \*Herron**

Memorials, Academic Achievement - Nadja Lima Barros, Salutatorian, Perry County High School - The Abstract summarizes SJR0446 as introduced.

**49. SJR 0447 by \*Herron**

Memorials, Academic Achievement - Justin Kent Williams, Valedictorian, Perry County High School - The Abstract summarizes SJR0447 as introduced.

**50. SJR 0448 by \*Barnes**

Memorials, Recognition - Captain Marie Cicerelle - The Abstract summarizes SJR0448 as introduced.

**51. SJR 0449 by \*Bunch**

Memorials, Retirement - Mary Frances Armstrong, Bradley County Election Commission - The Abstract summarizes SJR0449 as introduced.

**52. SJR 0450 by \*Southerland, Faulk, Herron**

Memorials, Death - Charles Robert Terry - The Abstract summarizes SJR0450 as introduced.

**53. SJR 0451 by \*Stewart**

Memorials, Academic Achievement - Jordan Alane Cleek, Valedictorian, Warren County High School - The Abstract summarizes SJR0451 as introduced.

**54. SJR 0452 by \*Stewart**

Memorials, Academic Achievement - Andrew David Redmon, Valedictorian, Warren County High School - The Abstract summarizes SJR0452 as introduced.

**Regular**

**1. \*SB 1955 by \*Ketron (HB 1720 by \*Carr, Tidwell, Fitzhugh)**

Alcoholic Beverages - As introduced, provides that manufacturing of intoxicating liquors is allowed in counties that have approved retail package sales and liquor-by-the-drink sales through voter referendum; requires manufacturer to obtain appropriate licenses. - Amends TCA Section 57-2-103.

(House Regular Calendar cont.)

**2. \*HB 1104 by \*DeBerry J, Cooper B (SB 1771 by \*Herron, Burks)**

Education - As introduced, provides that students who miss school to attend required court proceedings shall not be penalized for grading or attendance purposes. - Amends TCA Section 49-6-3002. - The Abstract summarizes HB1104 as introduced.

**3. \*HJR 0379 by \*Yokley, Turner M**

General Assembly, Confirmation of Appointment - William O. Shults, Tennessee Claims Commission for the Eastern Division - The Abstract summarizes HJR0379 as introduced.

**4. HB 1648 by \*Jones U, Maddox, Evans (\*SB 1745 by \*Ketron)**

Labor and Workforce Development, Dept. of - As introduced, directs the department to establish the "We Want To Learn English Initiative." - Amends TCA Title 4, Chapter 3, Part 14 and Title 49.

**5. HB 1468 by \*Shepard (\*SB 1919 by \*Johnson)**

Planning, Public - As introduced, incorporates the use of green building design, sustainable infrastructure, and energy efficiency technologies into the powers authorities are authorized to exercise for redevelopment projects. - Amends TCA Section 13-20-202.

**6. \*HJR 0413 by \*Bone**

General Assembly, Statement of Intent or Position - Urges the United States Congress to change the definition of "renewable biomass" in the Clean Air Act. - The Abstract summarizes HJR0413 as introduced.

**7. SB 2192 by \*Kyle (\*HB 2194 by \*Harmon, Kelsey)**

School Districts, Special - As introduced, allows a special school district to remain in existence when a county, in which there is at least one special school district, and a city or cities within the county choose to form a metropolitan government. - Amends TCA Title 7 and Title 49.

**8. \*HB 0280 by \*Matheny (SB 0205 by \*Stewart, Burks, Marrero B)**

Salaries and Benefits - As introduced, authorizes state employees enrolled in the group insurance plan to transfer to a different authorized state insurance plan once during a non-enrollment period for a medically necessary procedure for the enrollee or a dependent of the enrollee, if the procedure is not covered by the plan that provides coverage to the employee. - Amends TCA Title 8, Chapter 27.

**9. \*HB 2037 by \*Sargent (SB 2150 by \*Stewart)**

Financial Responsibility Law - As introduced, requires law enforcement officers to obtain proof of compliance with financial responsibility laws upon charging a person with a motor vehicle violation. - Amends TCA Section 55-12-139. - The Abstract summarizes HB2037 as introduced.

**10. \*HB 1263 by \*Sontany, Turner M, Gilmore, Pruitt, Jones S, Moore, Odom, Stewart, Harwell, Dean, Sargent, Jones U, Haynes, Coleman, Bone (SB 1471 by \*Haynes, Burchett, Tate, Henry, Johnson, McNally, Harper, Berke)**

Regional Authorities and Special Districts - As introduced, makes various changes to the statutory provisions governing regional transportation authorities. - Amends TCA Title 64, Chapter 8.

**11. HB 0250 by \*Carr, Matheny, Shipley (\*SB 0038 by \*Tracy, Ketron, Faulk)**

Alcoholic Offenses - As introduced, creates a misdemeanor offense to knowingly allow a minor to drink or possess alcoholic beverages or knowingly fail to stop a minor from drinking or possessing alcoholic beverages while the minor is present on real property owned or otherwise possessed by the offender; establishes certain exceptions. - Amends TCA Title 39, Chapter 15, Part 4 and Title 57.

**12. \*HB 2109 by \*Floyd (SB 2102 by \*Watson)**

Tort Liability and Reform - As introduced, limits the civil liability of persons who own, lease, occupy, or control land when others use such land to engage in certain off-road activities and are injured due to the inherent risks associated with engaging in such activities. - Amends TCA Title 70, Chapter 7.

**13. \*HB 0196 by \*Weaver (SB 0128 by \*Ketron)**

Administrative Procedure (UAPA) - As introduced, increases the number of interested persons necessary to petition an agency requesting the adoption, amendment, or repeal of a rule from five or more to 10 or more. - Amends TCA Title 4. - The Abstract summarizes HB0196 as introduced.

(House Regular Calendar cont.)

**14. \*HB 0143 by \*Weaver (SB 0737 by \*Beavers)**

Business Organizations - As introduced, increases time from three to four months for claimant to file claim against dissolved limited partnership. - Amends TCA Title 61.

**15. HB 1707 by \*Curtiss (\*SB 0836 by \*McNally, Burchett, Barnes, Beavers, Berke, Black, Bunch, Burks, Crowe, Faulk, Finney L, Ford, O., Gresham, Harper, Haynes, Henry, Herron, Jackson, Johnson, Ketron, Kyle, Marrero B, Norris, Overbey, Ramsey, Southerland, Stanley, Stewart, Tate, Tracy, Watson, Yager)**

Privacy, Confidentiality - As introduced, broadens the scope of the "Personal Rights Protection Act of 1984." - Amends TCA Title 47, Chapter 25, Part 11.

**16. \*HB 1249 by \*Curtiss (SB 1413 by \*Ketron, Black)**

Contractors - As introduced, authorizes the board for licensing contractors, in circumstances deemed appropriate by the board, to delay issuing a license for a period longer than six months to a person who engages or offers to engage in contracting without a license. - Amends TCA Title 62, Chapter 6.

**17. \*HB 1252 by \*Curtiss (SB 1417 by \*Ketron)**

Contractors - As introduced, establishes as an unfair act under the Consumer Protection Act the practice of a general contractor requiring a subcontractor, as a condition of being awarded a job, to waive the subcontractor's lien rights. - Amends TCA Title 47, Chapter 18; Title 47, Chapter 25; Title 62, Chapter 6 and Title 66, Chapter 34. - The Abstract summarizes HB1252 as introduced.

**18. HB 1589 by \*Curtiss (\*SB 1627 by \*Beavers)**

Insurance Companies, Agents, Brokers, Policies - As introduced, clarifies that any insurer must honor any assignment of benefits made by the insured to any health care provider covered under title 63. - Amends TCA Title 56, Chapter 7, Part 1.

**19. \*HB 0154 by \*Faulkner (SB 0226 by \*Stanley)**

Corporations, For Profit - As introduced, increases length of validity for proxy appointment for corporate shareholder voting purposes from 11 months to one year. - Amends TCA Title 48.

**20. \*HB 2166 by \*Faulkner, Rich, Harrison, Dennis, Hill, Halford, Kelsey, Lollar (SB 2224 by \*Faulk)**

Railroads - As introduced, requires POST commission to establish standards for certification of railroad police officers. - Amends TCA Title 38, Chapter 8 and Title 65, Chapter 6.

**21. HB 1579 by \*Harrison (\*SB 1939 by \*Faulk)**

Alcoholic Beverages - As introduced, specifies that statutory cause of action for alcohol-related injuries is in addition to common law causes of action for such injuries. - Amends TCA Title 57, Chapter 10, Part 1. - The Abstract summarizes HB1579 as introduced.

**22. HB 1472 by \*Casada (\*SB 1574 by \*Norris)**

Workers Compensation - As introduced, decreases amount of civil penalty commissioner of commerce and insurance may assess to insurance companies for failure to submit modification factors or rates from \$2,000 per incident to \$1,000 per incident. - Amends TCA Title 50 and Title 56.

**23. HB 1471 by \*Casada (\*SB 1567 by \*Norris)**

Workers Compensation - As introduced, requires the AOC to consult with the joint legislative workers' compensation committee when developing education programs related to workers' compensation for the annual meeting. - Amends TCA Title 50 and Title 56.

**24. HB 1779 by \*Casada (\*SB 0660 by \*Stanley)**

Utilities, Utility Districts - As introduced, establishes review of Utility Management Review Board decisions by the Tennessee Regulatory Authority. - Amends TCA Title 7, Chapter 82.

**25. HB 1659 by \*Armstrong, Tindell, Brooks H, Niceley, Haynes, Dunn (\*SB 0600 by \*Burchett, Woodson)**

Alcoholic Beverages - As introduced, allows alcoholic beverages to be sold for on premises consumption in unincorporated areas of a county with a charter form of government that has held a countywide local option election approving liquor-by-the-drink. - Amends TCA Title 57, Chapter 3 and Title 57, Chapter 4.

**26. HB 2168 by \*Armstrong (\*SB 2085 by \*Burchett, Woodson, McNally)**

Naming and Designating - Names Knoxville, Tennessee, National Guard Armory in honor of the late Colonel Russell Austin Newman, USA, Retired. -

(House Regular Calendar cont.)

- 27. HB 0616 by \*Todd (\*SB 0395 by \*Tracy, Stewart, Herron, Marrero B, Ketron)**  
Vending Machines - As introduced, requires vending machines located on state property to either use energy efficient lights for advertising or have the lights used solely for advertising removed. - Amends TCA Title 12, Chapter 2, Part 1 and Title 53, Chapter 12, Part 1.
- 28. \*HB 0715 by \*McCormick, Hawk, Haynes, Armstrong, Tindell, Maddox (SB 0681 by \*Woodson)**  
Education - As introduced, requires an LEA revising its policy prohibiting harassment, intimidation, or bullying, which was filed with the commissioner of education, to transmit the revised policy to the commissioner. - Amends TCA Title 49.
- 29. HB 0484 by \*Harwell, Evans, Turner M (\*SB 0113 by \*Black, Burks)**  
Criminal Offenses - As introduced, adds to Class A misdemeanor of harassment communicating to a person under 18 and, without good cause, recklessly causing the person to be frightened or intimidated by the communication. - Amends TCA Title 39, Chapter 17, Part 3.
- 30. HB 1442 by \*Harwell (\*SB 1371 by \*Johnson)**  
Highway Signs - As introduced, "H. Clay Turner Memorial Bridge," Old Franklin Road & I-24 in Metropolitan Nashville and Davidson County. - The Abstract summarizes HB1442 as introduced.

#### Message

- 1. HB 0082 by \*Shaw, Fincher, Rich, Cobb T, Bone, Ferguson (\*SB 0019 by \*Gresham, Ford, O., Barnes, Crowe, Beavers)**  
Firearms and Ammunition - As introduced, authorizes current and retired judges who possess a handgun carry permit to carry a firearm under same circumstances and conditions as law enforcement officers and correctional officers. - Amends TCA Title 39, Chapter 17, Part 13.
- 2. \*HB 1105 by \*DeBerry J, Hardaway (SB 1769 by \*Herron)**  
Courts, Juvenile - As introduced, establishes that a parent is entitled to legal representation at all stages of proceedings involving abuse, dependency or neglect and termination of parental rights. - Amends TCA Section 37-1-126.
- 3. \*HB 1160 by \*Fraley, Jones U, Shepard, Odom (SB 1184 by \*Haynes)**  
Alcoholic Beverages - As introduced, allows person to transport alcoholic beverages into a dry county in excess of any quantity limitations if such person is using such alcoholic beverages in the manufacture of baked goods; requires purchase of alcoholic beverages from licensed retailers. - Amends TCA Title 39, Chapter 17, Part 7 and Title 57, Chapter 3.

**HOUSE CONVENES AT 9:00 A.M., WEDNESDAY, MAY 20, 2009**